

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF OKLAHOMA**

ALFRED B. MAYFIELD,)	
)	
Petitioner,)	
)	
vs.)	Case No. CIV-12-785-M
)	
KAY COUNTY, OKLAHOMA,)	
NEWKIRK, OKLAHOMA,)	
)	
Respondent.)	

ORDER

On November 28, 2012, United States Magistrate Judge Robert E. Bacharach issued a Report and Recommendation in this action. The Magistrate Judge recommended that this action be dismissed without prejudice based upon petitioner's failure to exhaust state court remedies. The parties were advised of their right to object to the Report and Recommendation by December 17, 2012. A review of the file reveals no objection has been filed.

Upon de novo review, the Court:

- (1) ADOPTS the Report and Recommendation [docket no. 20] issued by the Magistrate Judge on November 28, 2012, and
- (2) DISMISSES this case without prejudice for failure to exhaust state court remedies.

IT IS SO ORDERED this 26th day of December, 2012.


VICKI MILES-LaGRANGE
CHIEF UNITED STATES DISTRICT JUDGE